

cumstances, shall not be affected thereby. This Act may be cited as the Merchant Marine Act, 1936. Citation of Act.

SEC. 907. Except as otherwise provided herein this Act shall take effect thirty days after a majority of the members of the Commission have taken the oath of office. Effective date.

Approved, June 29, 1936.

[CHAPTER 859.]

AN ACT

For the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States.

June 29, 1936.

[S. 2293.]

[Public, No. 836.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all employees of the Alaska Railroad, Territory of Alaska, except the clerical employees, who are citizens of the United States and whose tenure of employment is not intermittent nor of uncertain duration, shall come within the provisions of this Act: *Provided, however,* That employees of the Alaska Railroad who in the past have been, or in the future may be, employed thereon for the period of at least three months per year for at least two years shall come within the provisions of this Act: *Provided further,* That the provisions of the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved March 22, 1920, as amended, are hereby extended to apply to all clerical employees of the Alaska Railroad who are citizens of the United States.

Alaska Railroad.
Retirement of certain employees.

Provisos.
Service requirement.

Provisions of Civil Service Retirement Act made applicable to clerical employees.
Vol. 41, p. 614; U. S. C., p. 92.

SEC. 2. All employees to whom this Act applies shall, after reaching the age of sixty-two years and having rendered at least fifteen years of service in the Territory of Alaska, be automatically separated from the service and retired on the annuity provided for herein; and all salary, pay, or compensation shall cease from that date: *Provided,* That if the Secretary of the Interior certifies to the Civil Service Commission that, by reason of his efficiency and willingness to remain in the service, the continuance of such employee therein would be advantageous to the service, such employee may be retained for a term not exceeding two years, upon the approval and certification by the Civil Service Commission, and, at the end of the two-year term, by similar approval and certification, be continued for an additional term not exceeding two years: *Provided, however,* That no employee shall be continued in the service beyond the age of retirement for more than four years, except that where the Secretary of the Interior certifies, and the Civil Service Commission agrees, that by reason of expert knowledge and special qualifications the continuance of the employee would be advantageous to the service, further extensions of two years may be granted.

Automatic separation and retirement at 62, with 15 years' service.

Salary, etc., to cease.

Provisos.
Temporary retention.

Maximum extension.

Exception.

All employees to whom this Act applies who would be eligible for retirement from the service upon attaining the age of sixty-two years shall, after attaining the age of sixty years and having rendered at least thirty years' service, computed as provided in section 7 of this Act, be eligible for retirement on an annuity as provided in section 6 of this Act. Retirement under the provisions of this paragraph shall be at the option of the employee, but if such option is not exercised prior to the date upon which the employee would otherwise be eligible for retirement from the service the provisions of this Act with respect to automatic separation from the service shall apply.

Retirement on annuity at 60 after 30 years' service.

Post, pp. 2020, 2021.

Option allowed employees.

SEC. 3. Any employee to whom this Act applies who shall have attained the age of fifty-five and rendered at least twenty-five years of service, of which not less than fifteen years shall have been ren-

Voluntary retirement.
Age and service requirements.

dered in the Territory of Alaska, may voluntarily retire on an annuity equivalent in value to the present worth of a deferred annuity, beginning at the age at which the employee would otherwise have become eligible for retirement, computed as provided in section 6 of this Act, the present worth of said deferred annuity to be determined on the basis of the American Experience Table of Mortality and an interest rate of 4 per centum compounded annually.

SEC. 4. (a) Any employee to whom this Act applies who shall have attained the age of fifty-five years and shall have rendered at least fifteen years of service on the Alaska Railroad, and who shall have become physically or mentally disqualified to perform satisfactorily and efficiently the duties of his position or of any other position of approximately equal compensation to which he might be assigned, because of the strenuous or hazardous nature of such position, shall, upon the request or order of the Secretary of the Interior, be retired on an annuity computed in accordance with the provisions of section 6 hereof: *Provided*, That no such employees shall be so retired except after an examination and finding as to his mental or physical disqualifications as hereinafter provided.

(b) Any employee to whom this Act applies who shall have served for a total period of not less than five years, and who, before becoming eligible for retirement under the conditions defined in section 2 hereof, shall have become totally disabled for useful and efficient service in the grade or class of position occupied by the employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall upon his own application or upon request or order of the Secretary of the Interior, be retired on an annuity computed in accordance with the provisions of section 6 hereof.

No claim shall be allowed under the provisions of this section unless the application for retirement shall have been executed prior to the applicant's separation from the service or within six months thereafter. No employee shall be retired under the provisions of this section unless he or she shall have been examined by a medical officer of the United States, or a duly qualified physician or surgeon or board of physicians or surgeons designated by the United States Civil Service Commission for that purpose, and found to be disabled in the degree and in the manner specified herein.

Every annuitant retired under the provisions of this section, unless the disability for which he was retired be permanent in character, shall, at the expiration of one year from the date of such retirement and annually thereafter, until reaching retirement age as defined in section 2 hereof, be examined under the direction of the United States Civil Service Commission by a medical officer of the United States, or a duly qualified physician or surgeon or board of physicians or surgeons designated by the United States Civil Service Commission for that purpose, in order to determine the nature and degree of the annuitant's disability, if any. If an annuitant shall recover before reaching the age at which he would otherwise have become eligible for retirement and be restored to an earning capacity which would permit him to be appointed to some appropriate position fairly comparable in compensation to the position occupied at the time of retirement, payment of the annuity shall be continued temporarily to afford the annuitant opportunity to seek such available position, but not in any case exceeding ninety days from the date of the medical examination showing such recovery.

If the annuitant shall fail to obtain reemployment through no fault of his own within the ninety-day period in any position included in

Computation of annuity.
Post, p. 2020.

Physical or mental disability.

Proviso.
Examination, etc.

Total disability.

Computation of annuity.
Post, p. 2020.
Time limitation for executing application.

Medical examination.

Annual examinations unless disability permanent.

Temporary payment of annuity upon recovery.

Status, if failing re-employment.

the provisions of this Act, he shall be considered as involuntarily separated from the service as of the date he shall have been retired for disability, and, if otherwise eligible, entitled to an annuity under section 5 of this Act to begin at the close of said ninety-day period based on the service rendered prior to his retirement for disability.

The United States Civil Service Commission may order or direct at any time such medical or other examination as it shall deem necessary to determine the facts relative to the nature and degree of disability of any employee retired on an annuity under this section. Should an annuitant fail to appear for any examination required under this section, payment of the annuity shall be suspended until the requirement shall have been met.

In all cases where the annuity is discontinued under the provisions of this section before the annuitant has received a sum equal to the amount credited to his individual account as provided in section 11 (a) hereof, together with interest at 4 per centum per annum compounded on June 30, of each year, the difference, unless he shall become reemployed in a position within the purview of this Act, shall be paid to the retired employee, as provided in section 11 (b) hereof, upon application therefor in such form and manner as the United States Civil Service Commission may direct. In case of reemployment in a position within the purview of this Act the amount so refunded shall be redeposited as provided in section 11 (b) hereof.

No person shall be entitled to receive an annuity under the provisions of this Act, and compensation under the provisions of the Act of September 7, 1916, entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", or such Act as amended, covering the same period of time; but this provision shall not be so construed as to bar the right of any claimant to the greater benefit conferred by either Act for any part of the same period of time.

Fees for examinations made under the provisions of this section by physicians or surgeons who are not medical officers of the United States shall be fixed by the United States Civil Service Commission, and such fees, together with the employee's reasonable traveling and other expenses incurred in order to submit to such examinations, shall be paid out of the appropriations for the cost of administering this Act.

SEC. 5. Should any employee fifty-five years of age or over to whom this Act applies, after having served for a total period of not less than fifteen years and before becoming eligible for retirement under the conditions defined in section 2 hereof, become involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency, such employee shall be paid as he may elect, either—

(a) The amount of the deductions from his basic salary, pay, or compensation, including accrued interest thereon computed as prescribed in section 11 (b) hereof;

(b) An immediate life annuity beginning at the date of separation from the service, having a value equal to the present worth of a deferred annuity beginning at the age at which the employee would otherwise have become eligible for retirement, computed as provided in section 6 of this Act, the present worth of said deferred annuity to be determined on the basis of the American Experience Table of Mortality and an interest rate of 4 per centum compounded annually; or

Ascertainment of nature and degree of disability.

Failure to appear for examination, suspension of annuity.

Discontinued annuities.
Return of difference between contributions and payments.

Redeposit of refund upon reemployment.

No annuity if receiving compensation for disability.
Vol. 39, p. 742.
U. S. C., p. 98.

Not a bar to greater benefit.

Fees for medical examinations.

Payment of, and other expenses.

Involuntary separation, not for misconduct, before retirement age.

Payments.

Deductions from basic salary.

Immediate life annuity.

Deferred annuity to begin at retirement age.

Deferred annuity, with specified service and age between 45 and 55 years.

Immediate annuity at 55.

Annuity payments to cease upon reemployment.

Status thereafter.

Annuities; computation.

Service rendered on Alaska Railroad or U.S. military or naval service in the tropics or Alaska.

Purchasable annuity added.

Service elsewhere.

Proviso.
Limit on number of years.

Service, construction of Alaska Railroad.

Service on Isthmus of Panama.

Minimum annuity.

Method of computation.

Provisos.
Computing purchasable annuity.

(c) A deferred annuity beginning at the age at which the employee would otherwise become eligible for retirement computed as provided in section 6 of this Act.

Any employee who has served for a period of not less than fifteen years, and who is forty-five years of age, or over, and less than fifty-five years, and who becomes separated from the service under the conditions set forth in this section shall be entitled to a deferred annuity, but such employee may, upon reaching the age of fifty-five years, elect to receive an immediate annuity as provided in paragraph (b) of this section.

Should an annuitant under the provisions of this section be reemployed in any position included in the provisions of this Act, payment of annuity shall not be allowed covering the period of such reemployment, and an annuity based upon involuntary separation shall not be allowed upon subsequent separation from the service unless such subsequent separation shall be involuntary.

SEC. 6. The annuity of an employee retired under the provisions of this Act shall be composed of—

(1) A sum equal to \$37.50 multiplied by the number of years of service, not to exceed thirty years, rendered (a) on the Alaska Railroad or (b) in the military or naval service of the United States in the tropics or in Alaska; and

(2) The annuity purchasable with the sum to the credit of the employee's individual account, including accrued interest thereon computed as prescribed in section 11 (a) hereof, according to the experience of the Alaska Railroad retirement and disability fund as may from time to time be set forth in tables of annuity values by the board of actuaries; and

(3) Thirty dollars multiplied by the number of years of service rendered and not allowable under paragraph (1) hereof: *Provided*, That the number of years of service to be used in computing the allowance under paragraph (3) shall not exceed the difference between thirty and the number of allowable years of service under paragraph (1); and

(4) Thirty-six dollars multiplied by the number of years' service rendered in the Territory of Alaska in the construction of the Alaska Railroad, either in the employ of the Alaska Engineering Commission and the Alaska Railroad or of either of them, between March 12, 1914, and July 1, 1923, plus the number of years' service, if any, rendered on the Isthmus of Panama either in the employ of the Isthmian Canal Commission or the Panama Railroad Company between May 4, 1904, and April 1, 1914.

In no case, however, shall the total annuity paid exclusive of that provided in paragraph (4) hereof, be less than an amount equal to the sum of—

The average annual basic salary, pay, or compensation, not to exceed \$2,000 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service used in computing the annuity under paragraph (1) hereof, and divided by forty, and the average annual basic salary, pay, or compensation, not to exceed \$1,600 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service used in computing the annuity under paragraph (3) hereof, and divided by forty: *Provided, however*, That the sum to be used in computing the annuity purchasable under paragraph (2) of this section shall include only contributions made subsequent to June 30, 1935: *And provided*

further, That the number of years of service to be used in computing the annuity under paragraphs (1) and (3) of this section shall not exceed the difference between thirty and the number of years of allowable service rendered prior to July 1, 1935.

Years of service.

The annuity granted under paragraphs (1), (3), and (4) of this section shall not exceed three-fourths of the average annual basic salary, pay, or compensation received by the employee during any five consecutive years of allowable service at the option of the employee.

Annuity limited to three-fourths average annual salary, etc.

Any employee at the time of his retirement may elect to receive, in lieu of the life annuity herein described, an increased annuity of equivalent value which shall carry with it a proviso that no unexpended part of the principal upon the annuitant's death shall be returned. For the purposes of this Act all periods of service shall be computed in accordance with section 7 hereof, and the annuity shall be fixed at the nearest multiple of twelve.

Increased annuity at employee's option.

Computations of periods of service.

The term "basic salary, pay, or compensation", wherever used in this Act, shall be so construed as to exclude from the operation of the Act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation.

"Basic salary, pay, or compensation", construed.

SEC. 7. Subject to the provisions of section 8 hereof, the service which shall form the basis for calculating the amount of any benefit provided in this Act shall be computed from the date of original employment, whether as a classified or an unclassified employee, in the civil service of the United States or under the municipal government of the District of Columbia, including periods of service at different times and in one or more departments, branches, or independent offices of the Government and service in Alaska with the Alaska Engineering Commission and the Alaska Railroad, or of either of them, and service on the Isthmus of Panama with the Isthmian Canal Commission, the Panama Canal, or the Panama Railroad Company; also periods of service performed overseas under authority of the United States and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States. In the case of an employee, however, who is eligible for and elects to receive a pension under any law, or retired pay on account of military or naval service, or compensation under the War Risk Insurance Act, the period of his military or naval service upon which such pension, retired pay, or compensation is based shall not be included, but nothing in this Act shall be so construed as to affect in any manner his right to a pension, or to retired pay, or to compensation under the War Risk Insurance Act in addition to the annuity herein provided.

Accredited service. Periods included.

Overseas, military, naval, etc.

Deduction of periods for which military, etc., pension paid.

In computing length of service for the purposes of this Act all periods of separations from the service, and so much of any leave of absence without pay as may exceed six months in the aggregate in any calendar year, shall be excluded.

Periods of separations, etc., excluded.

In determining the total periods of service upon which the allowances are to be computed under section 6 hereof, the fractional part of a month, if any, shall be eliminated from each respective total period.

Fractions of months.

SEC. 8. All employees coming within the provisions of this Act after the effective date thereof shall be required to deposit with the Treasurer of the United States to the credit of the Alaska Railroad retirement and disability fund referred to in section 9 hereof, under rules to be prescribed by the United States Civil Service Commission, a sum equal to 2½ per centum of the employee's basic salary,

Past service. Deposits to credit of fund by employees brought within purview of Act.

From July 1920 and
prior to July 1926.
Thereafter.

Interest rate.

Proviso.
Failure to deposit.

Monthly deductions
from salaries.

Deposits.

Transfer to special
fund.

Vol. 41, p. 614.
U. S. C., p. 93.

Credit due from spec-
ified funds transferred.

Vol. 41, p. 614.

Consent by employ-
ees to deductions.
Payment, a full dis-
charge of all claims for
services; exception.

Investments.

Credit of deductions
to individual account
of employee.

pay, or compensation received for services rendered after July 31, 1920, and prior to July 1, 1926, and also $3\frac{1}{2}$ per centum of the basic salary, pay, or compensation for services rendered subsequent to June 30, 1926, together with interest computed at the rate of 4 per centum per annum compounded on the last day of each fiscal year, but such interest shall not be included for any period during which the employee was separated from the service. Upon making such deposit the employee shall be entitled to credit for the period or periods of service involved: *Provided*, That failure to make such deposit shall not deprive the employee of credit for any past service for which no deposit is required under the provisions of this section.

SEC. 9. Beginning July 1, 1935, there shall be deducted and withheld from the basic salary, pay, or compensation of each employee to whom this Act applies a sum equal to 5 per centum of such employee's basic salary, pay, or compensation. The amounts so deducted and withheld from the basic salary, pay, or compensation of each employee shall be deposited with the Treasurer of the United States to the credit of a special fund to be known as "the Alaska Railroad retirement and disability fund", in accordance with the procedure now or hereafter prescribed for covering into the United States Treasury the deductions from salaries under the Civil Service Retirement Act of May 22, 1920, as amended, and said fund is hereby appropriated for the payment of the annuities, refunds, and allowances as provided in this Act.

The United States Civil Service Commission¹ is hereby authorized and directed to ascertain the amount, if any, including accrued interest, due employees of the Alaska Railroad coming within the purview of this Act from the civil-service retirement and disability funds created by the Act of May 22, 1920, and to certify same to the Secretary of the Treasury, who is hereby authorized and directed to transfer such amount on the books of the Treasury Department to the Alaska Railroad retirement and disability fund.

Every employee coming within the provisions of this Act shall be deemed to consent and agree to the deductions from salary, pay, or compensation as provided herein, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services rendered by such employee during the period covered by such payment, except the right to the benefits to which he shall be entitled under the provisions of this Act, notwithstanding the provisions of any other law, rule, or regulation affecting the salary, pay, or compensation of any person or persons to whom this Act applies.

SEC. 10. The Secretary of the Treasury shall invest from time to time in interest-bearing securities of the United States or in Federal farm-loan bonds such portions of the Alaska Railroad retirement and disability fund as in his judgment may not be immediately required for the payment of the annuities, refunds, and allowances herein authorized, and the incomes derived from such investments shall constitute a part of such fund.

SEC. 11. (a) Under such regulations as may be prescribed by the Civil Service Commission the amounts deducted and withheld from the basic salary, pay, or compensation of each employee for credit to the civil-service retirement and disability fund, covering service rendered prior to the effective date of this Act, shall be credited to an individual account of such employee to be maintained by the Alaska Railroad, and the amounts deducted and withheld from the basic salary, pay, or compensation of each employee for credit to the

¹ So in original.

Alaska Railroad retirement and disability fund, covering service from and after the effective date of this Act, less the sum of \$1 per month or major fraction thereof, shall similarly be credited to such individual account.

(b) In the case of any employee to whom this Act applies who shall be transferred to a position not within the purview of the Act, or who shall become absolutely separated from the service before becoming eligible for retirement on annuity, the amount credited to his individual account shall be returned to such employee together with interest at 4 per centum per annum compounded on June 30 of each year: *Provided*, That when any employee becomes involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency, the total amount of his deductions with interest thereon shall be paid to such employee: *And provided further*, That all moneys so returned to an employee must, upon reinstatement, retransfer, or reappointment to a position coming within the purview of this Act, be redeposited with interest before such employee may derive any benefits under this Act, except as provided in this section, but interest shall not be required covering any period of separation from the service.

Return of deductions on transfer to position not included in Act, etc.

Provided. Involuntary separation.

Redeposit on reinstatement.

(c) In case an annuitant shall die without having received in annuities purchased by the employee's contributions as provided in (2) of section 6 hereof an amount equal to the total amount to his credit at time of retirement, the amount remaining to his credit shall be paid in one sum to his legal representatives upon the establishment of a valid claim therefor, unless the annuitant shall have elected to receive an increased annuity as provided in section 6 hereof.

Death of annuitant before receiving total amount to credit.

Payment to legal representatives.

(d) In case an employee shall die without having attained eligibility for retirement or without having established a valid claim for annuity, the total amount of his deductions with interest thereon shall be paid to the legal representatives of such employee.

Death of employee before attaining eligibility for retirement, etc.

(e) In case a former employee entitled to the return of the amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such employee.

Legally incompetent employees; payment to guardian, etc.

(f) If the amount of accrued annuity or of refund due a former employee who is legally incompetent does not exceed \$1,000, and if there has been no demand upon the United States Civil Service Commission by a duly appointed executor, administrator, guardian, or committee, payment may be made, after the expiration of thirty days from date of death or of separation from the service, as the case may be, to such person or persons as may appear in the judgment of the United States Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

If no guardian, etc., where amount does not exceed \$1,000.

Legal effect of payment.

SEC. 12. Annuities granted under the terms of this Act shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued; and payment of all annuities, refunds, and allowances granted hereunder shall be made by checks drawn and issued by the disbursing clerk for the payment of pensions in such form and manner and with such safeguards as shall be prescribed by the United States Civil Service Commission in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments.

Annuities. Monthly payments.

Applications for annuity shall be in such form as the United States Civil Service Commission may prescribe, and shall be supported by such certificates from the heads of departments, branches, or independent offices of the Government, or the Alaska Railroad

Application for. Certificate from head of department, etc.

Adjudication of claim; issuance of certificate to annuitant.

in which the applicant has been employed as may be necessary to the determination of the rights of the applicant. Upon receipt of satisfactory evidence the United States Civil Service Commission shall forthwith adjudicate the claim of the applicant, and if title to annuity be established, a proper certificate shall be issued to the annuitant.

Commencement and continuance.

Annuities granted under the provisions of sections 2 and 3 of this Act shall commence from the date of separation from the service and shall continue during the life of the annuitant. Annuities granted under the provisions of sections 4 and 5 hereof shall be subjected to the limitations specified in said sections.

Limitations.
Ante, pp. 2018, 2019.

Extension of benefits to those already retired on annuity.
Vol. 41, p. 614.

SEC. 13. In the case of those employees of the Alaska Railroad who before the effective date of this Act shall have been retired on annuity under the provisions of the Act of May 22, 1920, or said Act as amended, or as extended by Executive orders, the annuity shall be computed, adjusted, and paid under the provisions of this Act, but this Act shall not be so construed as to reduce the annuity of any person retired before its effective date, nor shall any increase in annuity commerce¹ before such effective date.

Separated subsequent to August 1, 1920, without annuity.

All those who were separated from the service of the Alaska Railroad subsequent to August 1, 1920, and before the effective date of this Act, not by removal for cause on charges of misconduct or delinquency, without having been granted retirement annuities due to the fact that all of their service which would be allowable under the provisions of this Act was not counted in arriving at their total service, and who are otherwise eligible by having made the necessary contributions to the retirement and disability funds as herein provided, shall, from the effective date of this Act, be paid annuities in accordance with the provisions of this Act.

Periodic valuations of fund by board of actuaries.
Vol. 44, p. 912.
U. S. C., p. 96.

SEC. 14. The board of actuaries selected by the United States Civil Service Commission under the provisions of section 16 of the Act of July 3, 1926, shall make a valuation of the Alaska Railroad retirement and disability fund at intervals of five years, or oftener, if deemed necessary by the United States Civil Service Commission.

Administration under Civil Service Commission.

SEC. 15. For the purpose of administration, except as otherwise provided herein, the United States Civil Service Commission, is hereby authorized and directed to perform, or cause to be performed, any and all acts and to make such rules and regulations as may be necessary and proper for the purposes of carrying the provisions of this Act into full force and effect.

Annual report.

The United States Civil Service Commission shall make a detailed comparative report annually, showing all receipts and disbursements on account of annuities, refunds, and allowances under this Act, together with the total number of persons receiving annuities and the total amounts paid them; and he¹ shall transmit to Congress the reports and recommendations of the board of actuaries.

Reports and recommendations to Congress.

Estimates of appropriation.

The United States Civil Service Commission shall submit annually to the Bureau of the Budget estimates of the appropriation necessary to finance the Alaska Railroad retirement and disability fund, and to continue this Act in full force and effect.

Exemption of annuities from execution, etc.

SEC. 16. None of the moneys mentioned in this Act shall be assignable, either in law or equity, or be subject to execution, levy, garnishment, or attachment, or other legal process.

Effective date.
Vol. 41, p. 614.

SEC. 17. This Act shall take effect July 1, 1935, and from and after that date the provisions of the Civil Service Retirement Act of May 22, 1920, as amended, shall not apply to the employees of the Alaska Railroad or to any other employees coming within the provisions of

¹ So in original.

this Act: *Provided, however*, That any employee of the Alaska Railroad who shall attain the age of eligibility for retirement without having rendered sufficient service on the Alaska Railroad to entitle him to be retired on an annuity as provided by section 2 hereof, but whose aggregate employment under the United States would be sufficient in character and duration to entitle him to receive an annuity under the provisions of the Civil Service Retirement Act of May 22, 1920, as amended, will be eligible to retire and receive an annuity under the provisions of that Act and payable from the civil-service retirement and disability fund; and in such event the employee shall be entitled, upon separation from the service, to the refund, under such regulations as the United States Civil Service Commission may prescribe, of any excess in the deductions made from his salary, pay, or compensation under the provisions of this Act, with interest, over those which would have been made at the rate fixed by the Civil Service Retirement Act, as amended; and the United States Civil Service Commission shall certify to the Secretary of the Treasury the amount remaining to the credit of such employee in the Alaska Railroad retirement and disability fund, and the said amount shall be transferred on the books of the Treasury Department to the civil-service retirement and disability fund.

Proviso.
If employee eligible under Civil Service Retirement Act.

Return of excess in deductions.

SEC. 18. Retirement authorized by law of Federal personnel of whatever class, civil, military, naval, judicial, legislative, or otherwise, and for whatever cause retired, shall take effect on the 1st day of the month following the month in which said retirement would otherwise be effective, and said 1st day of the month for retirements hereafter made shall be for all purposes in lieu of such date for retirement as may now be authorized; except that the rate of active or retired pay or allowance shall be computed as of the date retirement would have occurred if this Act had not been enacted.

Commencement of retirement.

Exception.

SEC. 19. For the purposes of this Act, service in the employ of the Alaska Engineering Commission shall be considered service of and on the Alaska Railroad.

Term construed.

Approved, June 29, 1936.

[CHAPTER 860.]

AN ACT

To waive any exclusive jurisdiction over premises of Public Works Administration slum-clearance and low-cost housing projects, to authorize payments to States and political subdivisions in lieu of taxes on such premises, and for other purposes.

June 29, 1936.

[S. 3247.]

[Public, No. 837.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the acquisition by the United States of any real property heretofore or hereafter acquired in connection with any low-cost housing, or slum-clearance project heretofore, or hereafter constructed with funds allotted to the Federal Emergency Administration of Public Works pursuant to title II of the National Industry¹ Recovery Act, the Emergency Relief Appropriation Act of 1935, or any other law, shall not be held to deprive any State or political subdivision thereof of its civil and criminal jurisdiction in and over such property, or to impair the civil rights under the local law of the tenants or inhabitants on such property; and insofar as any such jurisdiction has been taken away from any such State or subdivision, or any such rights have been impaired, jurisdiction over any such property is hereby ceded back to such State or subdivision.

Public Works Administration.

Waiver of exclusive jurisdiction over property acquired for housing or slum-clearance projects.

Vol. 48, p. 200.

Anne, p. 115.

Civil and criminal jurisdiction of States, etc.; civil rights of inhabitants under local law.

¹ So in original.